

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

CHARLES P. RICHARDS, JR.

No. 1:17-CR-30-SCJ

JOINT MOTION TO REDUCE SENTENCE

The United States of America, by Byung J. Pak, United States Attorney for the Northern District of Georgia, and Kurt R. Erskine, Assistant United States Attorney, file this motion to reduce defendant Charles P. Richards' sentence from 27 months in prison to 20 months in prison pursuant to Rule 35 of the Federal Rules of Criminal Procedure. This joint motion reflects Richards' cooperation with the federal investigation into corruption in City of Atlanta government.

Procedural History

1. On February 7, 2017, the United States Attorney for the Northern District of Georgia charged Richards via Criminal Information with one count of conspiratorial bribery. (Doc. 1).
2. On February 16, 2017, Richards pleaded guilty to the Criminal Information. (Doc. 7).
3. On October 10, 2017, the Court sentenced Richards to 27 months in prison, three years of supervised release, \$193,000 in restitution and a \$100 special assessment. (Doc. 17).

Cooperation

4. Richards was a successful contractor who worked regularly for the City of Atlanta on various construction projects. Richards also worked with another

contractor, Elvin R. Mitchell, on city projects. Both Richards and Mitchell were convicted of bribery offenses and are currently incarcerated.

5. In an effort to secure city contracts, Richards, Mitchell and their companies bribed defendant Mitzi Bickers to represent their businesses and to obtain lucrative City of Atlanta contracts for their companies. During much of this time, Bickers was a City of Atlanta employee.

6. Immediately after Richards was approached by the special agents of the Federal Bureau of Investigation, he admitted that he had paid bribes to Bickers. Shortly afterwards, he was charged, entered a plea in this case and began cooperating.

7. During the course of the investigation, Richards was debriefed multiple times by investigators. Richards also provided business and financial records that related to this investigation. Much of the information directly linked Mitchell and Bickers to the bribery scheme and was helpful to the overall investigation.

Sentence Reduction

8. For the reasons stated above, and pursuant to Rule 35 and 18 U.S.C. § 3553, the parties request that the Court reduce Richards' prison sentence by 7 month. A seven-month departure is the equivalent of a 25 percent sentence reduction and is commensurate with his cooperation, his history and characteristics, and his willingness to plead guilty early via criminal information.

9. Importantly, the United States and Richards both agree that a 7-month reduction sufficiently rewards Richards for his cooperation and his continuing obligation to cooperate in this and other cases – including testifying. Richards understands that there will be no other motions for reduction of sentence in his

case - even if Richards is called on to testify in this case or other cases in connection with his cooperation.

Conclusion

WHEREFORE, the United States respectfully requests that the Court grant this Joint Motion to Reduce Sentence.

Respectfully submitted,

BYUNG J. PAK
United States Attorney

/s/ Kurt R. Erskine
Assistant United States Attorney
Georgia Bar No. 249953

600 U.S. Courthouse • 75 Ted Turner Drive, SW
Atlanta, GA 30303 • 404.581.6000

CERTIFICATE OF SERVICE

The United States Attorney's Office served this document today by filing it in Court and hand delivering a copy to counsel of record for the defendant.

Dated: February 22, 2019.

/s/ Kurt R. Erskine
Assistant United States Attorney